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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/070,162

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11/03/2004

STAAS & HALSEY LLP

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EXAMINER

PARSONS, CHARLES E

ART UNIT

PAPER NUMBER

2613

DATE MAILED: 11/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/070,162

Applicant(s)

LEE ET AL.

Examiner

Charles E Parsons

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3042003.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 1-3 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Lee.

Claim 1: A device for recording an image of driving circumstances around an automobile, the device comprising:

plurality of cameras mounted to the automobile for obtaining in real time the driving

circumstances around the automobile as image information; (See Lee figure 5 items 62, 64 and 66)

image signal processing means for processing the image information obtained by the plurality of cameras to format which is suitable for recording and reproducing; (See figure 5 item 72 if the video is recorded for future display an image signal processor would be inherent.)

and image recording means for storing in real time the image signals processed by the image signal processing means. (See figure 5 item 72)

Claim 2: The device as claimed in claim 1, wherein the device has at least two cameras; and the device further comprises screen-divisional processing means for divisionally recording and reproducing image information obtained by the at least two cameras, on a screen. (See figure 5 and column 5 lines 47-50 as well as column 5 line 65 through column 6 line

2. Note that the figure shows that the video recorder will record whatever is shown on

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the display. Since the display is capable of reproducing images from more than one camera on the screen at a time, the recorder is capable recording the divided image.)

Claim 3: The device as claimed as in claim 1 further comprising: recording time interval adjusting means for adjusting recording time interval of an image signal which is recorded to the image recording means. (See column 5 lines 52-55)

Claim 5. The device as claimed claim 1, further comprising:  
means for reproducing and displaying image signals recorded to the image recording means. (See figure figure 5 item 74.)

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee as applied to claim 1 above.

Claim 6: The device as claimed in claim 1, wherein, among the plurality of cameras mounted to the automobile, a first camera is installed to be directed from the front toward the rear of the automobile, and a second camera is installed to be directed from the rear towards the front of the automobile. (See Lee column 6 lines 4-7 teaching that a camera may be disposed to view the front of the vehicle. While the placement is not exactly as claimed, to shift location of parts is not patentable since the operation of the device is not modified. See In re Japikse, 86 USPQ 70 (CCPA 1950))

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Claim 7: The device as claimed in claim 1 wherein microphones are installed inside and outside the automobile, whereby it is possible implement a sound recording operation as well as an image recording operation. (At the time the invention was made, most video cameras came equipped with microphones. As such it would have been obvious to one of ordinary skill in the art to equip Lee's invention with sound recording capabilities.) Official notice served

3. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lee as applied to claim 1 above, and further in view of Hollenberg.

Claim 4. The device as claimed in claim 1 further comprising:

impact sensing means for sensing impact applied to the automobile from the outside;

See Lee figure 5 item 53

an auxiliary power supply section for supplying power when impact is sensed by the impact sensing means; and (See Hollenberg figure 1 item 24F

means for switching a power source from a main section of the automobile itself to the power supply auxiliary power supply section when impact sensed by the impact sensing means, thereby forcibly driving the device for a predetermined time. (See Hollenberg figure 1 item 17)

While Lee does not teach the use of an auxiliary power supply, at the time the invention was made the concept of using redundant power sources was well known and widely used, see Hollenberg column 9 lines 14-20. Therefore at the time the invention was made it would have been obvious to one of ordinary skill in the art, to switch to an auxiliary power source in the event of an impact motivated by the desire to provide the needed power to operate the desired electronic devices.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E Parsons whose telephone number is 703-305-3862. The examiner can normally be reached on M-TH 7AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on 703-305-4856. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CEP

  
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